

**CITY OF SAN DIEGO**  
**Engineering and Capital Projects**



**PRE-QUALIFICATION**  
**QUESTIONNAIRE**

**PHASE I**

(Revised - March, 2003)

# PHASE I

*Complete Part I before proceeding to Part II*

## PART I: ESSENTIAL REQUIREMENTS FOR PRE-QUALIFICATION

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Firm Address

\_\_\_\_\_  
Phone and Fax Numbers

\_\_\_\_\_  
Date

1. Does the Contractor possess a valid and current California Contractor's license for the project, or projects, for which it intends to submit a bid?  
☐ Yes      ☐ No
2. Does the Contractor have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$1,000,000 aggregate (will vary dependent upon project size)?  
☐ Yes      ☐ No
3. Does the Contractor have a current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.?  
☐ Yes      ☐ No      ☐ Not Applicable - Contractor has no employees
4. Have you attached a copy of your most recent Compiled, Reviewed or Audited Financial Statements, including accompanying notes and supplemental information?  
☐ Yes      ☐ No

**NOTE: The Accountant's/Auditor's Report must be dated within the last twelve (12) months. Also, see the "General Information" page of this packet for the type of Financial Statements required.**

5. Have you attached a letter of bond-ability confirming name, address and telephone number of a contact for a California admitted surety company? The letter must also include both single and aggregate bonding capacity totals.  
☐ Yes      ☐ No

**NOTE: This letter should be provided by the surety company or an authorized agent. A letter from an authorized agent must include a power of attorney and notary acknowledgment.**

<b>Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is "No".</b>
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***NOTE: For purposes of this questionnaire, “Person” is defined as individuals who constitute the management of a corporate or other legal entity. Additionally, it includes any individual or other legal entity that: (a) directly or indirectly (e.g. through an affiliate), submits offers for or is awarded, or reasonably may be expected to submit offers for or be awarded, a contract, or a subcontract under a contract; or, (b) conducts business, or reasonably may be expected to conduct business, with the City as an agent or representative of another person.***

6. In the last five years, has any Person in your firm had their Contractors license revoked?  
☐ Yes ☐ No
7. In the last five (5) years, has your firm, or any Person, been convicted of a crime involving the awarding of a contract of a government (local, state or federal) construction project, or the bidding or performance of a government contract?  
☐ Yes ☐ No
8. In the last five (5) years, has your firm, or any Person, been “defaulted” or “ terminated” by an owner (other than for convenience of the project owner) or has your surety completed a contract for your firm?  
☐ Yes ☐ No
9. At the time of submitting this pre-qualification form, is your firm, or any Person, ineligible to bid on or be awarded any public works contract, or perform as a subcontractor on a public works contract?  
☐ Yes ☐ No

**If the answer is “Yes”, state the beginning and ending dates of the period of debarment or non-responsibility: \_\_\_\_\_**

10. Has your firm, or any Person, ever been found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity?  
☐ Yes ☐ No
11. In the last ten (10) years, has your firm, or any Person, ever been convicted of a crime involving any federal, state or local law related to construction, including acts of dishonesty?  
☐ Yes ☐ No

**Contractor will be immediately disqualified if the answer to either questions 6, 7, 8, 10 or 11 is “Yes”. If the answer to question 9 is “Yes”, and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.**

## PHASE I

### PART II: ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

#### A. Current Organization and Structure of the Business

For Firms that Are Corporations:

- 1a. Date incorporated: \_\_\_\_\_
- 1b. Under the laws of what state: \_\_\_\_\_
- 1c. Is the status of your corporation still valid? \_\_\_\_\_
- 1d. Provide all the following information for each Person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer) or (b) the owner of at least ten percent (10%) of the corporation's stock:

Name	Position	Years with Co.	% Ownership	Taxpayer Identification

- 1e. Identify every construction firm that any Person listed above has been associated with (as owner, general partner, limited partner or officer) in the last five (5) years.

**NOTE: For this question, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation.**

Name	Construction Firm	Date of Participation with Firm

For Firms That Are Partnerships:

- 1a. Date of formation: \_\_\_\_\_
- 1b. Under the laws of what state: \_\_\_\_\_
- 1c. Is the status of your partnership still valid? \_\_\_\_\_
- 1d. Provide all the following information for each Person who owns ten percent (10%) or more of the firm:

Name	Position	Years with Co.	% Ownership	Taxpayer Identification

- 1e. Identify every construction firm that any Person listed above has been associated with (as owner, general partner, limited partner or officer) in the last five (5) years.

**NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.**

Name	Construction Firm	Date of Participation with Firm

For Firms With a Joint Venture License:

- 1a. Date of commencement of joint venture \_\_\_\_\_
- 1b. Is the status of your joint venture still valid? \_\_\_\_\_
- 1c. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

Name of Firm	% Ownership of Joint Venture

- 1d. Provide all the following information for each Person who owns ten percent (10%) or more of the joint venture:

Name	Position	Years with Co.	% Ownership	Taxpayer Identification

**NOTE: New joint ventures are not excluded from forming on a project by project basis *after* the pre-qualification process. However, in such cases, all parties to the joint venture must have individually pre-qualified in order to bid with the City of San Diego as a joint venture.**

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business \_\_\_\_\_
- 1b. Social Security number of company owner \_\_\_\_\_
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) in the last five (5) years.

Name	Construction Firm	Date of Participation with Firm

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**B. History of the Business and Organizational Performance**

2. In the last five (5) years, have there been any changes in ownership of the firm?

☐ Yes ☐ No

(If Yes, explain on a separate signed page)

**NOTE: A corporation whose shares are publically traded is not required to answer this question.**

3. Is the firm a subsidiary, parent, holding company or Person of another construction firm?

☐ Yes ☐ No

(If Yes, explain on a separate signed page)

**NOTE: Include information about other firms if one firm owns fifty percent (50%) or more of another, or if a Person of your firm holds a similar position in another firm.**

4. Are any Persons in your firm associated with any other construction firms?

☐ Yes ☐ No

(If Yes, explain on a separate signed page)

**NOTE: Include information about other firms if any Person in your firm holds a similar position in another firm.**

5. State your firm's gross revenues for the last three (3) years:

Year Ended	Gross Revenue

6. How many years has your firm been doing business in California as a contractor under your present business name and license number? \_\_\_\_\_ years

7. Is your firm currently in bankruptcy proceedings?

☐ Yes ☐ No

(If Yes, attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.)

**This document is not a public record.**



8. If your firm is not currently in bankruptcy proceedings, has your firm filed for bankruptcy in the last five (5) years?
- ☐ Yes      ☐ No
- (If Yes, please attach a copy of the bankruptcy petition showing the case number and the date on which the petition was filed, a copy of the Bankruptcy Court's discharge order, or if no discharge order was issued, any other document that ended the case.)

### **Licenses**

9. List all California contractor license numbers, classifications and expiration dates held by your firm and its Persons: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
10. If any of your firm's license(s) are held in the name of a corporation or partnership, list the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.
- \_\_\_\_\_
- \_\_\_\_\_
11. In the last five (5) years, has your firm changed names or license numbers?
- ☐ Yes      ☐ No
- (If Yes, explain on a separate signed page, including the reason for the change)
12. In the last five (5) years, has any Person in your firm operated a construction firm under any other name?
- ☐ Yes      ☐ No
- (If Yes, list and explain on a separate signed page.)
13. In the last five (5) years, has any California State Licensing Board (CSLB) license held by your firm for its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended or revoked?
- ☐ Yes      ☐ No
- (If Yes, explain on a separate signed page)

**This document is not a public record.**

## Disputes

14. In the last five (5) years, has your firm been assessed and paid liquidated damages after completion of a project under construction contract with either a public or private owner because of a delay not contemplated during the bid process?

☐ Yes      ☐ No

(If Yes, explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.)

15. In the last five (5) years, has your firm, or any firm associated with your firm's Persons, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes      ☐ No

(If Yes, explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by, name of the company, the Person in your firm who was associated with that company, the year of the event, the owner of the project and the basis for the action.)

**NOTE: "Associated with" refers to another construction firm in which a Person in your firm held a similar position, as listed in response to Question 1 in Part II of this form.**

16. In the last five (5) years, has your firm been denied an award of a public works contract based on a finding by a public agency that your firm was not a responsible bidder as defined in San Diego Municipal Code Section 22.3003 ?

☐ Yes      ☐ No

(If Yes, explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.)

**NOTE: Questions 17 and 18 refer only to disputes between your firm and the owner of a project. Do not include information about disputes between your firm and the supplier, another contractor, or subcontractor. Do not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner.**

17. In the last five (5) years, have any complaints been filed in court against your firm concerning your firm's work on a construction project?

☐ Yes      ☐ No

(If Yes, on separate signed pages, identify the complaint(s) by providing the project name, date of the complaint, name of the plaintiff, a brief description of the nature of the complaint, the court in which the case was filed and a brief description of the status of the complaint pending or, if resolved, of the resolution.)

18. In the last five (5) years, has your firm filed a complaint in court against a project owner concerning work on a project or payment for a contract?
- ☐ Yes      ☐ No
- (If Yes, on separate signed pages, identify the complaint(s) by providing the project name, date of the complaint, name of the entity (or entities) against whom the complaint was filed, a brief description of the nature of the complaint, the court in which the case was filed and a brief description of the status of the claim pending or, if resolved, of the resolution.)
19. In the last five (5) years, has any surety company made any payments, on your firm's behalf, to satisfy any claims made against a performance or payment bond issued in connection with a construction project, either public or private?
- ☐ Yes      ☐ No
- (If yes, explain on separate signed pages)
20. Has your firm, or any Person, ever been found liable in a civil action for making any false claim or material misrepresentation to any public agency or entity?
- ☐ Yes      ☐ No
- (If Yes, explain on separate signed pages)

**C. Compliance with Safety, Workers Compensation, Prevailing Wage, Apprentice Laws and EEO.**

21. In the last five (5) years, has CAL OSHA cited and assessed penalties against your firm for any "serious", "willful" or "repeated" violations of its safety or health regulations?
- ☐ Yes      ☐ No
- (If Yes, explain on separate signed pages)

**NOTE: If you have filed an appeal of a citation, and the Occupational Health Appeals Board has not yet ruled on the appeal, you must answer "Yes" to this question.**

22. In the last five (5) years, has the Federal Occupational Safety and Health Administration cited and assessed penalties against your firm?
- ☐ Yes      ☐ No
- (If Yes, attach a separate signed page describing each citation)
23. In the last five (5) years, has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against your firm?
- ☐ Yes      ☐ No
- (If Yes, explain on separate signed pages)

24. How often do you hold documented safety meetings for construction employees and field supervisors during the course of a project? \_\_\_\_\_  
\_\_\_\_\_
25. List your firm's Experience Modification Rate (EMR) - California workers' compensation insurance - for each of the past three (3) premium years:  
Current year: \_\_\_\_\_  
Last year: \_\_\_\_\_  
Two years ago: \_\_\_\_\_

**NOTE: If your EMR for any of these years rated 1.00 or higher, you may attach a letter of explanation.**

26. In the last five (5) years, was there any occasion(s) which your firm was required, by a compliance agency, to pay either back wages or penalties for your own firm's failure to comply with the state's prevailing wage laws?

☐ Yes      ☐ No

(If Yes, explain on separate signed pages)

**NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.**

27. In the last five (5) years, was there any occasion(s) which your firm was required, by a compliance agency, to pay either back wages or penalties for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

☐ Yes      ☐ No

(If Yes, explain on separate signed pages)

28. If your firm operates its own State-approved apprenticeship program:

(a) Identify the craft(s) which your firm provided apprenticeship training in the past year.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) State the year in which each apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s). \_\_\_\_\_

(c) State the number of individuals who were employed by your firm as apprentices at any time during the past three (3) years in each apprenticeship, and the number of persons who, during the past three (3) years, completed apprenticeships in each craft(s) while employed by your firm. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

29. Provide the name, address and telephone number of the apprenticeship program sponsor(s) approved by the California Division of Apprenticeship Standards that will provide apprentices to your company for use on any public works project for which you are awarded a prevailing wage contract by the City of San Diego.

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30. In the last five (5) years, was your firm found in violation of any provision of California apprenticeship laws or regulations, or the laws pertaining to the use of apprentices on public works?

☐ Yes      ☐ No

(If Yes, provide the date(s) of such findings, and attach copies of the final decision(s).)

### **Non-Discrimination**

31. List all instances within the past ten (10) years where a finding of discrimination was made against your firm or any of its Persons in a legal or administrative proceeding alleging that the firm discriminated against its employees, subcontractors, vendors, or suppliers, **and** a description of the status or resolution of that complaint, including any remedial action taken.

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### PART III: RECENT CONSTRUCTION PROJECTS COMPLETED

32. Using the form provided, please provide the following information for:

1. The two (2) largest public work projects **completed** within the last five years; **and**,
2. The five (5) largest projects, not including the two listed above, **completed** within the last five years.

Names, references and phone numbers must be current and verifiable. **References will be contacted and interviewed.** If the City is not able to contact a reference at the given phone number, that reference will not be used or considered in the evaluation.

- ☐ Project Name
- ☐ Location
- ☐ Owner
- ☐ Owner Contact (name and phone number)
- ☐ Architect or Engineer
- ☐ Architect or Engineer Contact (name and phone number)
- ☐ Construction Manager (name and phone number)
- ☐ Description of Project, Scope of Work Performed
- ☐ Performed Work as Prime Contractor or Sub Contractor
- ☐ Total Value of Construction (including change orders)
- ☐ Original Scheduled Completion Date
- ☐ Actual Completion Date
- ☐ Time Extension Granted (number of days)

\* \* \* \* \*

I, the undersigned, certify and declare that I have read the pre-qualification questionnaire and all its contents. I further declare, under penalty of perjury, that I have answered, or caused to be answered, all questions, based on my knowledge and belief, and that they are true and correct.

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

*If this form is completed by someone other than the above signer, please print name and title here:*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

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**Firm Name** \_\_\_\_\_

## RECENT CONSTRUCTION PROJECTS COMPLETED

**Names, references and phone numbers must be current and verifiable**

### **References will be contacted and interviewed**

(If the City is not able to contact a reference at the given phone number, that reference will not be used or considered in the evaluation.)

Copy this sheet as necessary and provide the following information regarding:

1. The two (2) largest public work projects **completed** within the last five years; and,
2. The five (5) largest projects, not including the two previously listed, **completed** within the last five years.

**Project Name:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Contact:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Architect  
or Engineer:** \_\_\_\_\_

**Contact:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Construction**  
**Manager:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Description of Project, Scope of Work Performed:** \_\_\_\_\_

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**Performed Work as:**                      **Prime Contractor** \_\_\_\_\_ **Sub Contractor** \_\_\_\_\_

**Total Value of Construction (including change orders):\***\_\_\_\_\_

**Original Scheduled Completion Date:** \_\_\_\_\_ **Actual Date Of Completion:** \_\_\_\_\_

**Extension Time Granted**  
(number of Days): \_\_\_\_\_

**\*Verifiable dollar amounts will be used as part of the bidding capacity calculation.**

***Note: The City of San Diego reserves the right to check all other sources available.***